

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

Jeffrey S. Pepin

v.

Civil No. 11-cv-515-PB

Richard Gerry, Warden,
New Hampshire State Prison

O R D E R

Jeffrey Pepin filed a petition for a writ of habeas corpus (doc. no. 1). On March 6, 2012, and April 16, 2012, this court issued orders (doc. nos. 5 and 7) directing Pepin to amend his petition to demonstrate exhaustion of all of the claims he sought to pursue. In response, Pepin filed an addendum, with attachments, to his habeas petition (doc. no. 6), a motion to forego one unexhausted claim (doc. no. 8), which has been granted, and a second addendum to his petition (doc. no. 9).

The court now finds that Pepin's petition, including the addenda thereto (doc nos. 1, 6 and 9),¹ sufficiently demonstrates that he has exhausted his state court remedies for the federal claims pressed in this action. Accordingly, the petition may proceed.

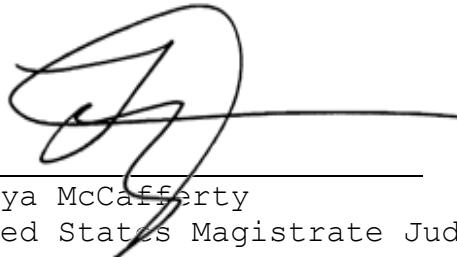
¹The initial petition (doc. no. 1) and the addenda filed thereto (doc. nos. 6 and 9) will be considered, in the aggregate, to constitute the petition in this matter for all purposes.

The petition shall be served upon respondent Richard Gerry, Warden of the New Hampshire State Prison. Respondent shall file an answer or other response to the allegations made therein. See Rule 4 of the Rules Governing Section 2254 Cases in the United States District Courts ("§ 2254 Rules") (requiring reviewing judge to order a response to the petition).

The Clerk's office is directed to serve the New Hampshire Office of the Attorney General, as provided in the Agreement on Acceptance of Service, copies of the original habeas petition and addenda thereto (doc. nos. 1, 6 and 9), the orders issued March 6, 2012, and April 16, 2012 (doc. nos. 5 and 7), and this order.

Respondent is directed to answer or to otherwise plead within thirty days of the date of this Order. The answer shall comply with the requirements of § 2254 Rule 5 (setting forth contents of the answer).

SO ORDERED.



Landya McCafferty
United States Magistrate Judge

August 27, 2012

cc: Jeffrey S. Pepin, pro se

LBM:jba